



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

**Dan A. Preston, Joseph Preston,
Robert Leyendecker, Wayne Eatherly
and Rod L. Proctor**

Application No. 10/092,661

Filed: March 6, 2002

For: **A CELLULAR TELEPHONE HAVING IMPROVED
IN-BAND SIGNALING FOR DATA COMMUNICATIONS
OVER DIGITAL WIRELESS TELECOMMUNICATIONS
NETWORKS (as amended)**

Docket No.: 44375/4:10

Date: September 13, 2002

TRANSMITTAL LETTER

TO THE COMMISSIONER FOR PATENTS:

Enclosed for filing in the above-referenced application are the following:

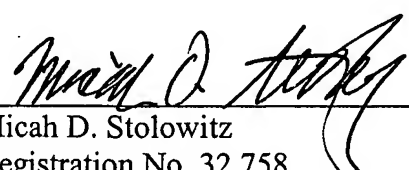
- ☒ Supplemental Information Disclosure Statement
- ☒ Form PTO-1449 (with copy of cited reference)
- ☒ Return receipt postcard

The Commissioner is hereby authorized to charge any fees which may be required in connection with the filing of the enclosed documents or to credit any overpayment to Deposit Account No. 19-4455.

Respectfully submitted,

AIRBIQUITY INC.

By:


Micah D. Stolowitz
Registration No. 32,758

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Group Art Unit: 2663

I HEREBY CERTIFY THAT THIS CORRESPONDENCE
IS BEING DEPOSITED WITH THE UNITED STATES
POSTAL SERVICE AS FIRST CLASS MAIL IN AN
ENVELOPE ADDRESSED TO:
ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, DC 20231

ON:

September 13, 2002

Date.

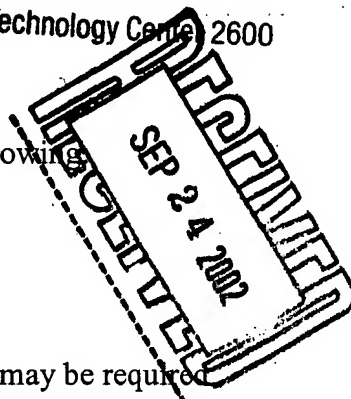

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In re application of

Group Art Unit: 2663

**Dan A. Preston, Joseph Preston,
Robert Leyendecker, Wayne Eatherly
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Application No. 10/092,661

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**SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT**

TO THE COMMISSIONER FOR PATENTS:

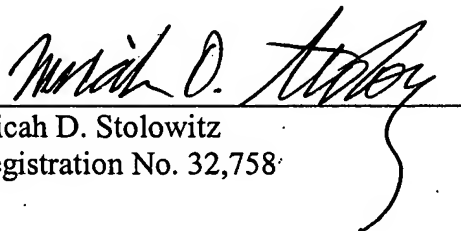
1. Pursuant to the duty of disclosure, applicant presents for the Examiner's consideration the document listed on the accompanying Form PTO-1449. A copy of the document is enclosed.
2. ☐ Applicant(s) draw(s) the Examiner's attention to the enclosed copy of copending U.S. Pat. Application No. _____, filed _____, for _____, which is cited in this application.
3. This information disclosure statement is being submitted:
 - a. ☒ Within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office action on the merits; or before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114. (No statement under 37 CFR 1.97(e) is required.)
 - b. ☐ After the period set forth in paragraph 1a, but before the mailing date of either a final action, a notice of allowance, or an action that otherwise closes prosecution in the application. (Check box i. or ii.)
 - i. ☐ A \$180.00 information disclosure statement submission fee set forth in 37 CFR 1.17(p) is enclosed.

- ii. ☐ A statement specified by 37 CFR 1.97(e) is set forth below.
- c. ☐ After the mailing date of a final action or notice of allowance and on or before payment of an issue fee. A statement specified by 37 CFR 1.97(e) is set forth below. Enclosed is a \$180.00 information disclosure statement processing fee set forth in 37 CFR 1.17(p).
4. ☐ The attorney or agent signing below hereby states that:
- ☐ each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
- ☐ no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement.
5. ☐ Applicant sets forth below concise explanations of the relevance of each document not in the English language and/or selected documents in the English language.

Respectfully submitted,

AIRBIQUITY INC.

By:


Micah D. Stolowitz
Registration No. 32,758

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FORM PTO-1449
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.:
44375/4:10APPLICATION NO.:
10/092,661INFORMATION DISCLOSURE CITATION
(Uses several sheets if necessary)APPLICANTS: Dan A. Preston, *et al.*FILING DATE:
March 6, 2002GROUP:
2663

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	AL	0 545 783 A1	9.6.93	European Patent Office	H04L	27/32	✓	
	AM							
	AN							
	AO							
	AP							

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	
	AS	
	AT	

EXAMINER

DATE CONSIDERED